IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

Bail Appl..No. 115 of 2007()

CMP.3199/2006 of J.M.F.C.-II, CHENGANNUR
CR 231/06 of Changannur Excise Range
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: PETITIONER/ACCUSED

SHAJI, AGED 40,
RESIDING AT PUTHENPURA KIZHAKKETHIL VEEDU,
PENNUKKARA THEKKU MURI, ALA VILLAGE,
CHENGANNUR TALUK.

BY ADV. SRI.N.SURESH

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.115 of 2007

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Dated this the 11th January, 2007.

ORDER

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in CR No.231 of 2006 of Chengannur Excise Range for offences punishable under Sec.8(1) and (2) of the Abkari Act for having been found in possession of 3.5 litres of illicit arrack on 15.12.2006, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.II, Chengannur and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m.

on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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